

MANDATE

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U.S. DISTRICT COURT, E.D.N.Y.

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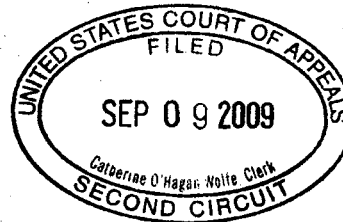
E.D.N.Y. - C.Islip
07-cr-516
Feuerstein, J.
Orenstein, M.J.

United States Court of Appeals
FOR THE
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, in the City of New York, on the 9th day of September, two thousand nine,

Present:

Rosemary S. Pooler,
Robert D. Sack,
Robert A. Katzmann,
Circuit Judges.



United States of America,

Appellee,

v.

09-0027-cr (L),
09-1428-cr (CON)

Lorenzo Warren, a/k/a Lo,

Defendant-Appellant.

The Government moves to dismiss the appeal because the Appellant waived his appellate rights in a plea agreement he entered into with the government. Upon due consideration, it is hereby ORDERED that the lead appeal is severed from Docket No. 09-1428-cr (CON), and, that the Government's motion to dismiss is GRANTED, because the Appellant has not demonstrated that the waiver of his appellate rights is unenforceable under *United States v. Gomez-Perez*, 215 F.3d 315, 319 (2d Cir. 2000).

A TRUE COPY,
Catherine O'Hagan-Wolfe, Clerk

by Torchi Suh
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SAO-MWV

FOR THE COURT:
Catherine O'Hagan-Wolfe, Clerk

By: [Signature]

ISSUED AS MANDATE: 10/15/09